

## DECLARATION FOR PATENT APPLICATION

As the below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name. I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **Nucleic Acid Synthesizers**, the specification of which is attached hereto. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<hr/> <u>09/771,332</u>	<hr/> <u>01/26/01</u>	<hr/> <u>Pending</u>
<i>Application Serial No.</i>	<i>Filing Date</i>	<i>Patented, Pending or Abandoned</i>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or First Inventor: **Raymond F. Cracauer**

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Residence: 3108 Creekview Drive., #6, Middleton, WI 53562 Citizenship: United States of America  
Post Office Address: 3108 Creekview Drive., #6, Middleton, WI 53562

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Raymond F. Cracauer                          Group No.:

Serial No.:

Filed:

Entitled: Nucleic Acid Synthesizers

Examiner:

**POWER OF ATTORNEY BY ASSIGNEE**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Third Wave Technologies, Inc., as Assignee of record of the entire interest of the above-identified patent application, hereby

appoints the members of the firm of MEDLEN & CARROLL, LLP, a firm composed of:

Virginia S. Medlen	(Reg. No. 32,050)	Maha A. Hamdan	(Reg. No. 43,655)
Peter G. Carroll	(Reg. No. 32,837)	J. Mitchell Jones	(Reg. No. 44,174)
Kamrin T. MacKnight	(Reg. No. 38,230)	David J. Wilson	(Reg. No. 45,225)
David A. Casimir	(Reg. No. 42,395)	Jason R. Bond	(Reg. No. 45,439)
Jaen Andrews	(Reg. No. 35,051)	Thomas J. Bordner	(Reg. No. P-47,436)
Tanya A. Arenson	(Reg. No. P-47,391)		

as its attorneys with full power of substitution to prosecute this application and transact all business in the Patent and Trademark Office in connection therewith.

Please direct all future correspondence and telephone calls regarding this application to:

David A. Casimir  
MEDLEN & CARROLL, LLP  
220 Montgomery Street, Suite 2200                          Telephone: 415/705-8410  
San Francisco, California 94104                          Facsimile: 415/397-8338

I hereby certify that the Assignment document filed with the application or filed subsequent to the filing date of the application, has been reviewed and I hereby certify that, to the best of my knowledge and belief, title is with Third Wave Technologies, Inc.

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Lance Fors  
President  
Third Wave Technologies, Inc.  
502 So. Rosa Road  
Madison, WI 53711

## ASSIGNMENT

WHEREAS, I, Raymond F. Cracauer, hereinafter referred to as "ASSIGNOR", have invented certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: **Nucleic Acid Synthesizers**

Filing Date: \_\_\_\_\_ Serial No.: \_\_\_\_\_

WHEREAS, Third Wave Technologies, Inc., a Wisconsin corporation, 502 So. Rosa Road, Madison, WI 53711, hereinafter referred to as "ASSIGNEE", is desirous of acquiring the entire right, title and interest in said invention and application and in any Letters Patent which may be granted on the same;

NOW THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for and in consideration of the sum of One Dollar (\$1.00) lawful money paid to ASSIGNOR by ASSIGNEE and other good and valuable consideration, receipt of which is hereby acknowledged, ASSIGNOR has sold, assigned and transferred, and by these presents does sell, assign and transfer unto said ASSIGNEE, and ASSIGNEE's successors and assigns, all right, title and interest in and to said invention, said application for United States Letters Patent, and any Letters Patent which may hereafter be granted on the same in the United States and all countries throughout the world including any divisions, renewals, continuations in whole or in part, substitutions, conversions, reissues, prolongations or extensions thereof, said interest to be held and enjoyed by said ASSIGNEE as fully and exclusively as it would have been held and enjoyed by said ASSIGNOR had this assignment and transfer not been made, to the full end and term of any Letters Patent.

ASSIGNOR further agrees that ASSIGNOR will, without charge to said ASSIGNEE, but at ASSIGNEE's expense, cooperate with ASSIGNEE in the prosecution of said application and/or applications; execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof; and will perform such other acts as ASSIGNEE lawfully may request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said ASSIGNEE, or ASSIGNEE's successors and assigns.

IN TESTIMONY WHEREOF, ASSIGNOR has hereunto signed ASSIGNOR's name to this assignment on the date indicated below.

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Raymond F. Cracauer

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STATE OF \_\_\_\_\_ )  
                      ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year of \_\_\_\_\_, before me, the undersigned notary public, personally appeared the above-named ASSIGNOR, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same.

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NOTARY PUBLIC

SEAL